

App. No. 10/787,296
Amdmt. Dated July 26, 2006
Reply to Office Action of June 2, 2006

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REMARKS/ARGUMENTS

The Examiner has withdrawn the previous 35 U.S.C. 102(c) rejections, but has raised a new rejection of claims 1, 3 to 9, 11 to 15, 19 to 22 under 35 U.S.C. 102(e) as being anticipated by Silver *et al.* Silver *et al.* was previously cited against 19 to 22.

Silver *et al.* does deal with a similar problem, namely identifying a smaller set of locations within a voice network within which to set up a call based on location information for a mobile terminal for a data network. However, the manner in which this information is used is somewhat different. The following is a summary of how the approach in Silver works, with particular reference to Figure 2 of Silver:

- 1) Mobile Terminal (MT) is "camped" on a particular BSS in Packet Switched (PS) network; (Col.5, lines 12-20)
- 2) need to make Circuit Switched (CS) call to MT; (Col. 5, line 2)
- 3) CS network receives location information from PS network; (Col. 6, lines 10-14)
- 4) PS location information is mapped to CS location information (e.g. in Figure 2, location of MT 131 mapped to region A, location of MT 132 mapped to region B)
- 5) CS network sets up call within region B.

It is readily apparent that Silver does not make use of location information for the MT in region B. In the response to arguments segment of the previous response, the Examiner refers to Applicant's previous argument that the "intersection information of Silver provides no new information". What is meant by this is that given the location information in the PS network, the CS network transmits a page to ALL locations in the CS network that are consistent with the location information. See for example Figure 2, where location of MT 131 mapped to ALL of region A, location of MT 132 mapped to ALL of region B. There is no set of locations to page

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that is smaller than that defined at the outset by the PS network. In fact, the set of locations is larger. In the PS network, the MT is "camped" on a particular BSS, and as such, the PS network knows precisely where the MT is located. In the CS network, the entire region A/B is used to set up the CS call. This does however realize a savings in the CS network as identified by the Examiner. Only region A need be paged, rather than all of regions A, B and C. In the absence of the information from the PS network, the CS network has no idea where the MT is.

In contrast, applicants claim involves combining location information for two networks in order to narrow down where to send a page. Using the Figure 2 of the reference as an example, this would involve determining the location in the PS network (e.g. somewhere within coverage area D of data network 120), determining the location within the CS network (e.g. region B), and then determining which locations in the CS network are consistent with BOTH locations. In the illustrated example, there are only two CS BTSs that would be consistent with both of these regions. Thus, a further savings, beyond that realized in Silver, is realized – namely rather than transmitting to all of region B, a subset of region B is transmitted to.

Silver never makes use of independently generated location information for the CS network. Rather, PS location information is simply mapped to CS location information. Because there is a direct mapping, there is no concept of an intersection of two independently defined areas.

Claim 1 has been amended for further clarification.

Amended claim 1 recites:

- 1) determine a first location information defining a location of the mobile device in a first network;

Assuming for the time being that the first network is the PS network, this step is taught in Silver.

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2) independently determining second location information defining a location of the mobile device in a second network;

It is respectfully submitted that even a very broad interpretation of "location information defining a location of the mobile device in a second network" would not encompass simply identifying the ENTIRE CS network (regions A, B and C).

Assuming for the time being that the second network is the CS network, this step is not taught in Silver. Silver determines the location of the mobile device in the CS network by mapping information obtained from the PS network.

Finally, in the "transmitting" step, reference is made to transmitting to "an area defined by an intersection between the locations defined by the first location information and the locations defined by the second location information."

As discussed above, communications in Figure 2 do not involve determining an intersection between two areas. Rather, having determine the region in which a mobile terminal is located (for example region A or region B) the entire region is considered as possible locations for the mobile device within the service network.

On this basis, the Examiner is respectfully requested to withdrawal the one of two (e) rejections of claim 1.

Claims 3 to 9 and 11 to 15 all depend upon claim 1 and should be allowable for the same reasons. Furthermore, regarding claim 9, the Examiner refers to regions B and D of Figure 2 as being the first location information and the second location information. It is true that region D of the PS network is identified on the basis of the mobile terminal. However, this information is then simply MAPPED to region B of the CS network. In this sense, the "second location information" is not "independently generated" as required by claim 1.

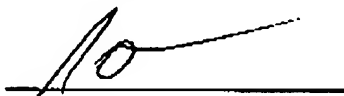
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Regarding claim 19, the Examiner has given a very broad interpretation of "first location information", namely that it is the entire first network, and it is not mobile device specific. Claim 19 has been amended to refer to the fact that the first and second location information are each of a mobile device within the first network and the second network respectively. As indicated previously in the discussion of claim 1, it is respectfully submitted that there is no determination of the location of a mobile device within the second network within Silver. Rather, the location of the mobile device within the packet switched network is used to narrow down the locations within the circuit switched network. Furthermore, there is no intersection that is determined as a function of the first and second location information. Rather, in Silver circuit switched communications are attempted within the entirety of regions A or B for example rather than in an intersection between one of these regions and region D pertaining to the packet switched network. With the clarifications thus made to claim 19, it is respectfully submitted that this claim is patentably distinct from the reference, and the Examiner is respectfully requested to withdraw the 35 U.S.C. 102 rejection of the claims. Claims 20 to 22 are dependent upon claim 19 and they should be allowable for the same reasons.

In view of the foregoing, early favorable consideration of this application is earnestly solicited.

Respectfully submitted,

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